

**FILED**

**NOV 14 2003**

**CATHY A. CATTERSON  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

SARA STEWART,

Plaintiff - Appellant,

v.

BLUE CROSS/BLUE SHIELD, of Nevada;  
ROCKY MOUNTAIN HOSPITAL,

Defendants - Appellees.

No. 02-16158

D.C. No. CV-98-1238-LDG

**O R D E R**

Before: O'SCANNLAIN, TASHIMA, Circuit Judges, and MATZ,\* District Judge.

The Memorandum filed on October 17, 2003, is withdrawn and replaced with the Amended Memorandum filed concurrently with this order.

With the filing of the Amended Memorandum, Plaintiff-Appellant's petition for panel rehearing is denied.

The mandate shall issue forthwith.

---

\* Honorable A. Howard Matz, United States District Judge for the Central District of California, sitting by designation.